

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

|                              |   |                        |
|------------------------------|---|------------------------|
| TRUSTIVO, LLC                | ) |                        |
|                              | ) |                        |
| PLAINTIFF                    | ) |                        |
|                              | ) |                        |
| v.                           | ) |                        |
|                              | ) |                        |
| INTEGRATED BEHAVIORAL        | ) | DOCKET NO. 15-11470-IT |
| HEALTH INC. d/b/a INTEGRATED | ) |                        |
| BEHAVIORAL HEALTH            | ) |                        |
| INCORPORATED                 | ) |                        |
|                              | ) |                        |
| and                          | ) |                        |
| RELIANT BEHAVIORAL           | ) |                        |
| HEALTH, LLC d/b/a RELIANT    | ) |                        |
| BEHAVIORAL HEALTH            | ) |                        |
| CORPORATION                  | ) |                        |
|                              | ) |                        |
| DEFENDANTS                   | ) |                        |
|                              | ) |                        |
| AND RELATED COUNTERCLAIMS    | ) |                        |
|                              | ) |                        |

**JOINT MOTION TO DISMISS ENTIRE ACTION  
PURSUANT TO FED. R. CIV. P. 41**

The parties, Trustivo, LLC (“Trustivo”), Integrated Behavioral Health, Inc. (“IBH”) and Reliant Behavioral Health, LLC (“RBH”), by and through their respective counsel of record, hereby jointly move the Court, pursuant to Rule 41 of the Federal Rules of Civil Procedure and the parties’ settlement of this action, for an order dismissing the entire action, including the Complaint filed by Trustivo [Dkt. No. 1], the Counterclaim filed by IBH [Dkt. No. 9] and the Counterclaim filed by RBH [Dkt. No. 10] and each and every claim for relief therein, with prejudice.

All parties shall bear their own costs and attorneys' fees.

For TRUSTIVO, LLC

/s/ Timothy M. Hughes  
Timothy M. Hughes (BBO No. 548708)  
Attorney at Law  
6 Old County Road, Suite 9  
Sudbury, MA 01776  
978-443-4460  
hugheslaw1@verizon.net

For INTEGRATED BEHAVIORAL  
HEALTH, INC. and RELIANT  
BEHAVIORAL HEALTH LLC

/s/ J. Christopher Jaczko  
J. Christopher Jaczko (*Pro Hac Vice*)  
Jamie D. Quient (*Pro Hac Vice*)  
PROCOPIO, CORY, HARGREAVES &  
SAVITCH LLP  
12544 High Bluff Drive, Suite 300  
San Diego, CA 92130  
Tel: 858.720.6300  
chris.jaczko@procopio.com

Lee T. Gesmer  
Lee T. Gesmer (BBO No. 190260)  
GESMER UPDEGROVE LLP  
40 Broad Street  
Boston MA 02109  
Tel: 617.350.6800  
[lee.gesmer@gesmer.com](mailto:lee.gesmer@gesmer.com)

I hereby certify that I have the permission of Timothy M. Hughes to file this Joint Motion with his above electronic signature.

/s/ J. Christopher Jaczko  
J. Christopher Jaczko

**CERTIFICATE OF SERVICE**

I hereby certify that on December 9, 2015, I electronically filed the foregoing with the Clerk for the United States District Court for the District of Massachusetts by using the CM/ECF system. I certify that all participants in the case are registered in the CM/ECF system.

/s/ J. Christopher Jaczko  
J. Christopher Jaczko

Dated: December 9, 2015